

**NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
2026 CONGRESSIONALLY IDENTIFIED CONSTRUCTION GRANT PROGRAM
FINANCIAL ASSISTANCE
SPECIFIC AWARD CONDITIONS**

1. Description of Work:

The National Institute of Standards and Technology (NIST) hereby enters into this grant number 60NANB26D275 with Washington State University to support the work described in the proposal entitled “Scientific Research Center” dated May 8, 2026, which is hereby incorporated into this award by reference. Where the terms of this award and the proposal differ, the terms of this award shall prevail.

The project proposes design and renovation and/or new construction at WSU’s flagship Pullman campus and at the WSU Puyallup Research and Extension Center. In Puyallup, the existing Salmon Lab building includes 4,542 net square feet (sf). Proposed renovations will impact approximately 3,000 sf within the building. In Puyallup, new construction will create areas for fish rearing, quarantine and examination, wet and dry laboratory space, and cold storage. The project will add approximately 8,000 - 12,000 sf of new space, with an additional approximately 2,000 square feet of exterior secured area for large fish tanks. In Pullman, there are multiple existing buildings associated with this proposed project, including the Carver Farm Fish Vivaria building at 8,290 sf, Eastlick Hall at 109,045 sf, the Veterinary and Biomedical Research building at 117,153 sf, and the Information Technology Building 86,462 sf. Proposed renovations will impact approximately 4,000 sf, 1,000 sf, 500 sf, and 3,500 sf respectively. Renovations and new construction in Pullman will create fish rearing areas, quarantine and examination spaces, wet laboratory space, dry laboratory space, cold storage, and potential shared spaces. The project will add approximately 7,000 - 10,000 sf of new space, likely in close proximity to the Carver Farm Fish Vivaria building.

Work will be completed in accordance with the schedule submitted by Washington State University in the Project Management and Schedule dated May 8, 2026.

Washington State University shall diligently pursue the development of the project to ensure completion within this time schedule and shall promptly notify NIST in writing of any event that could substantially delay meeting any of the prescribed time limits for the project as set forth above. Washington State University further acknowledges that failure to meet the development time schedule may result in NIST taking action to suspend or terminate the Award in accordance with the regulations set forth at 2 CFR § 200.339.

2. Recipient Contact Information:

Technical:

Kimberly Christen

Vice President for Research

NIST Financial Assistance Award Number: 60NANB26D275

Amendment: NEW

Recipient: Washington State University

Washington State University
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Pullman, WA 99164-1060
Telephone: 509-335-4177
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Administrative:

Maria Hernandez
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Washington State University
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Pullman, WA 99164-1060
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3. Award Payments:

This award is hereby funded through advanced payments using the Department of Treasury's Automated Standard Application for Payments (ASAP) system. Payments will be issued in accordance with 2 CFR § 200.305 and the Department of Commerce Financial Assistance General Terms and Conditions, B.02, dated September 22, 2025.

Payments for allowable costs may be drawn down as needed by the recipient enrolled in ASAP. Funds may be requested through ASAP by the authorized *Payment Requestor* who is the individual designated by the recipient to access Federal funds.

This award has the following control or withdrawal limits set in ASAP:

- ☐ None
- ☐ Agency Review required for all withdrawals (see explanation below)
- ☐ Agency Review required for all withdrawal requests over
\$_____ (see explanation below)
- ☒ Maximum Draw Amount controls (see explanation below)
 - \$_____ each month
 - \$_____ each quarter
 - \$0.00 Max drawdown amount

Explanation:

Historic Compliance Requirements

A total of \$49,500,000.00 in Federal funding is hereby withheld until the requirements identified in Specific Award Condition (SAC) #18 - Historic Review are satisfied. A Nine-Month Expenditure Plan may be submitted to request funding for expenditures limited to Historic Requirement compliance as identified in SAC #18.

4. Return Payments for Funds Withdrawn through ASAP:

Funds that have been withdrawn through ASAP may be returned to ASAP via the Automated Clearing House (ACH) or via FEDWIRE. The ACH or FEDWIRE transaction may only be completed by the recipient's financial institution. Full or partial amounts of payments received by a Payment Requestor/Recipient Organization may be returned to ASAP. All funds returned to the ASAP system will be credited to the ASAP Suspense Account. The Suspense Account allows the Regional Financial Center to monitor returned items and ensure that funds are properly credited to the correct ASAP account. Returned funds that cannot be identified and classified to an ASAP account will be dishonored and returned to the originating depository financial institution (ODFI). The Payment Requestor/Recipient Organization should notify the NIST Grants Office and provide a reason whenever return payments are made.

It is essential that the Payment Requestor/Recipient Organization provide its financial institution with ASAP account information (ALC, Recipient ID, and Account ID) to which the return is to be credited. Additional detailed information is accessible at:

<https://www.fiscal.treasury.gov/asap/>.

5. Period of Performance and Funding Limitations:

The period of performance and budget incorporated into this award cover a 3-year period of performance and provide for a maximum total amount of \$49,500,000.00 in Federal funding. This award is being fully funded via this award action.

The maximum amount of NIST funding in support of this award will not exceed the amount specified in the award documents, unless otherwise amended in writing by the NIST Grants Officer. The Department of Commerce is not liable for any obligations, expenditures, or commitments which involve any amount in excess of the Federal funds being made available pursuant to this award.

6. Notice of Funding Opportunity - 2026 Congressionally Identified Construction Grant Program:

The Department of Commerce, National Institute of Standards and Technology Notice of Funding Opportunity (NOFO) No. 2026-NIST-CICGP-01, dated 04/10/2026, is incorporated by reference into this award. It is accessible at: <https://grants.gov/search-results-detail/361847?showPackages=1>

7. Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements:

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements, as published in the Federal Register on December 30, 2014 (79 FR 78390), are incorporated by reference into this award. It is accessible at: <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

8. Deviation to the Department of Commerce Financial Assistance Standard Terms and Conditions, Section A.01 “Reporting Requirements”:

The Recipient must submit a Federal Financial Report (SF-425) and Performance Progress Report on a quarterly basis for the periods ending March 31, June 30, September 30, and December 31, or any portion thereof.

Reports are due no later than 30 calendar days following the end of each reporting period. A final SF-425 and Performance Progress Report must be submitted within 120 calendar days after the expiration of the period of performance.

A fillable SF-425 is available in the [Grants.gov Post Award Reporting Forms Repository](#). A sample Performance Progress Report template is available from the [NIST Extramural Construction Projects Grants Resources webpage](#).

In addition, the Recipient must submit a Tangible Personal Property Report (SF-428) and a Tangible Personal Property Annual Report (SF-428-A) and/or a Real Property Status Report Cover Page (SF-429) and a Real Property Status Report Attachment A (SF-429-A) on an annual basis for the first three (3) years of the award. Following the first three (3) years, the Recipient will report every five (5) years thereafter until the end of the useful life period identified in Specific Award Condition #13 below. Each report may affirm the previously reported status, provided such status remains accurate and acceptable to NIST.

The SF-428, SF-428-A, SF-429 and SF-429-A should cover the period of September 1 to August 31, or any portion thereof, and are due no later than 30 calendar days following the end of the reporting period.

Notwithstanding the above reporting deviations, the recipient remains responsible for promptly submitting property disposition requests, as applicable, to the NIST Grants Office.

Fillable SF-428s and SF-429s are available in the [Grants.gov Post Award Reporting Forms Repository](#).

Recurring SF-425s, Performance Progress Reports, and SF-428s/SF-429s must be submitted to: GReports@nist.gov, within the prescribed timeframes identified in the terms and conditions of the award. Instructions for the submission of final reports will be provided at the end of the award as part of the award closeout process.

The Recipient organization name, NIST award number, and reporting period must be included in the email subject line. The Recipient contact information should be included in the body of the message. To the greatest extent possible, SF-425 and Performance Progress Reports should be submitted together in the same email.

The SF-425, Performance Progress Report, and SF-428/SF-429 must not be sent directly to NIST personnel (e.g. Grants Specialist, Grants Officer, Federal Program Officer, etc.).

Any SF-425, Performance Progress Report, or SF-428/SF-429 sent directly to NIST personnel will be returned to the sender with instructions on how to submit through the GReports@nist.gov mailbox.

No other correspondence may be sent through this mailbox; timely responses to any other inquiries received in this mailbox are not guaranteed. The mailbox will not be used for any other purpose ***except*** for purposes identified above.

9. Department of Commerce Financial Assistance General Terms and Conditions:

As indicated on the Notice of Award (NoA) for this award, the Department of Commerce Financial Assistance General Terms and Conditions (GT&C) issued September 22, 2025, are incorporated by reference into this award. The Department's GT&C, as well as a link to 2 CFR Part 200, are accessible at: <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

10. NIST Standard Terms and Conditions for Extramural Construction Projects:

As indicated on the Notice of Award (NoA) for this award, the National Institute of Standards and Technology Standard Terms and Conditions for Extramural Construction Projects (Construction ST&Cs) dated March 17, 2026, are incorporated by reference into this award. The Construction ST&Cs are accessible at [NIST Standard Terms and Conditions for Extramural Construction Projects | NIST](#).

11. Unfunded Grant Actions Mailbox (UGAM):

Requests for unfunded award actions, which include, but are not limited to, requests for no-cost extension, change in key personnel, change in scope of work, budget revisions, payment requests, award transfer, and novation, must be submitted to: UGAM@nist.gov, within the prescribed timeframes identified in the terms and conditions of the award.

Unfunded award action requests and related correspondence, including justification to support the request, sent to the mailbox ***must*** contain the following information in the email subject line: (1) Recipient name; (2) NIST award number; (3) Principal Investigator/Project Director; and (4) Action being requested (e.g. no cost extension, change in key personnel, etc.).

Unfunded award action requests must not be sent directly to NIST personnel (e.g., Grants Specialist, Grants Officer, Federal Program Officer, etc.).

Any requests sent directly to NIST personnel will be returned to the sender with instructions on how to submit through the UGAM@nist.gov mailbox.

No other correspondence may be sent through this mailbox; timely responses to any other inquiries received in this mailbox are not guaranteed. The mailbox will not be used for any other purpose ***except*** for the purposes identified above.

Requests that are processed will be authorized via a Notice of Award (NoA) Amendment or a Non-Funded Administrative Change Letter.

12. Supervision of the Recipient's Staff and Associates and Compliance with NIST Policies on Use of Federal Facilities and Equipment:

Consistent with Department of Commerce Financial Assistance General Terms and Conditions, Section A.05, nothing in this award will be construed as authorizing the recipient or its employees, agents, or assigns to act as an agent or assign of NIST, and the recipient must exercise all diligence to ensure that no third party construes the recipient as an actual, ostensible, or apparent agent of NIST. For purposes of this award, the use of the term "personnel" herein includes all third parties, such as contractors, subrecipients, students, fellows, or others participating under the direction of the recipient's programs. The recipient acknowledges that it is independent of NIST in the performance of the approved projects, and that the recipient assumes full and sole responsibility for all benefits and protections of the recipient's personnel and agents whose services are utilized by the recipient in the execution of this award.

Accordingly, the recipient must control the means and manner of its personnel's activities on the project, including those conducted on a NIST campus, when applicable, on the recipient's property, and at other locations for the project. The recipient must provide directly a salary, stipend, or other funding to the personnel and must establish the work schedule and tenure for the personnel. The recipient is the supervisor of record for the personnel and will coordinate with NIST as needed to ensure that the construction project remains consistent with the Community Projects Funding identified by Congress and NIST program objectives.

13. Estimated Useful Life:

The estimated useful life of the new building construction component of this project is 20 years from when the date on which the Certificate of Occupancy for the building is issued.

The estimated useful life of the building renovation portion of this project is 15 years from when the date on which the Certificate of Occupancy for the renovations is issued.

The estimated useful life of the equipment to be acquired pursuant to this project is 10 years from the date on which such equipment is placed into service for this project.

14. Use of Department of Commerce or NIST Logos:

The recipient may not use the Department of Commerce logo or the NIST logo without express written authorization by the NIST Grants Officer.

In the absence of the Department of Commerce and NIST logos, the recipient may include the following acknowledgement of NIST Federal financial assistance in materials and

products produced through the award: “This work was performed under the following financial assistance award 60NANB26D275 from U.S. Department of Commerce, National Institute of Standards and Technology.”

15. Signage and Public Acknowledgement Requirements:

a. Signs - The Recipient is encouraged to include project signage, satisfactory in form and content to NIST, that identifies the nature of the project and indicates that “the project is funded by the Commerce, Justice, Science; Energy and Water Development; and Interior and Environment Appropriations Act, 2026.” Costs associated with signage must be reasonable and limited. The Recipient is encouraged to use recycled or recovered materials when procuring signs. Signs should not be produced or displayed if doing so results in unreasonable cost, expense, or recipient burden. Any construction site sign should be displayed throughout the construction phase of the project in an easily visible location directly linked to the work taking place. The Recipient is responsible to maintain the sign in good condition throughout the construction period.

b. Plaque - Any plaque installed at the discretion of the Recipient, citing the origins or history of the project, should identify the project as a “project funded by the Commerce, Justice, Science; Energy and Water Development; and Interior and Environment Appropriations Act, 2026.”

c. Communications - Any banner or other message intended for public display on the project site should remain within the spirit of transparency and public information provided herein.

16. Property Trust Relationship and Public Notice Filings for Grant-Acquired Property:

In accordance with 2 CFR § 200.316 (Property trust relationship), real property, equipment, and intangible property, that are acquired or improved with a Federal award must be held in trust by the non-Federal entity (*i.e.*, Recipient or Subrecipient) as trustee for the beneficiaries of the project or program under which the property was acquired or improved. This trust relationship exists throughout the duration of the property’s estimated useful life, as determined by the Grants Officer in consultation with the Program Office, during which time the Federal Government retains an undivided, equitable reversionary interest in the property (Federal Interest). The non-Federal entity must comply with all use and disposition requirements and restrictions as set forth in 2 C.F.R. §§ 200.310 (Insurance coverage) through 200.316 (Property trust relationship), as applicable, and in the terms and conditions of the Federal award.

The Grants Officer may require a non-Federal entity (*i.e.*, a Recipient or Subrecipient) to execute and to record (as applicable) a statement of interest, financing statement (Form UCC-1), lien, mortgage or other public notice of record to indicate that real or personal property acquired or improved in whole or in part pursuant to this award is subject to the Federal Interest, and that certain use and disposition requirements apply to the property.

The statement of interest, financing statement (Form UCC-1), lien, mortgage or other public notice must be acceptable in form and substance to the NIST Grants Officer and must be placed on record in accordance with applicable State and local law, with continuances re-filed as appropriate. In such cases, the NIST Grants Officer may further require the non-Federal entity to provide a written statement from a licensed attorney in the jurisdiction where the property is located, certifying that the Federal Interest has been protected, as required under the award and in accordance with applicable State and local law. The attorney's statement, along with a copy of the instrument reflecting the recordation of the Federal Interest, must be promptly returned to the Grants Officer.

Without releasing or excusing the non-Federal entity from these obligations, the non-Federal entity, by execution of the financial assistance award or by expending Federal financial assistance funds (in the case of a subrecipient), authorizes the NIST Grants Officer to file such notices and continuations as it determines to be necessary or convenient to disclose and protect the Federal Interest in the property. The NIST Grants Officer may elect not to release any or a portion of the Federal award funds until the non-Federal entity has complied with this provision and any other applicable award terms or conditions, unless other arrangements satisfactory to the NIST Grants Officer are made.

17. Reporting and Transfer of Equipment and Supplies:

Equipment and supplies acquired with award funds are subject to the requirements set forth in 2 CFR §§ 200.313, 200.314 and 200.316.

Title to equipment and supplies acquired under this award shall vest upon acquisition in the recipient or subrecipient, as applicable, subject to the requirements of 2 CFR §§ 200.313, 200.314 and 200.316. Notwithstanding title, NIST retains a reversionary interest in such property in accord with 2 CFR 200.316.

Equipment must be used exclusively for authorized project purposes for as long as needed, whether or not the project continues to be supported by Federal funds, unless otherwise authorized in writing by NIST.

Equipment acquired under this award may not be transferred, assigned, sold, leased, encumbered, or otherwise disposed of to any third party without prior written approval from NIST.

Property management requirements set forth in 2 CFR §§ 200.313(d) and 200.314(a) must be followed, including maintaining accurate property records, conducting periodic physical inventories, and implementing appropriate control systems to safeguard property.

The following reports are required:

- SF-428, Tangible Personal Property Report
- SF-428-B, Final Report, no later than 120 days after the period of performance end date

- SF-428-S, Supplemental Sheet, as applicable
- SF-428-C, Disposition Request/Report, when disposition is requested or required

All reports must be submitted in accordance with the terms and conditions of this award and applicable Federal requirements.

Fillable reports are available on Grants.gov at:

<https://www.grants.gov/forms/forms-repository/post-award-reporting-forms>.

18. Historic Review:

The Recipient must comply with all applicable requirements, environmental and historic preservation laws, Executive Orders, regulations, standards, and guidance, and identify to NIST any impact a project may have on the environment or historic resources.

Project implementation may not begin prior to the completion of a review of potential impacts, Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470, et. seq.) (NHPA).

The Recipient must address compliance with all other applicable federal, state, and local environmental laws and regulations.

Under Section 106 of the NHPA, federal agencies, and by extension recipients of federal grant funds, must evaluate the potential effects of any proposed projects (“undertakings”) on properties listed on, or eligible for listing on, the National Register of Historic Places. NIST will initiate Section 106 consultation with relevant State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPO’s). NIST will remain involved in resolution in the event of an adverse effect determination.

A Historic Review, to include any required consultations under Section 106 of the NHPA, must be completed no later than nine months after the award start date; unless a formal request for extension is submitted and approved by the Grants Officer. The Recipient must comply with all conditions placed on the project as the result of the consultation processes. The Recipient may not expend any federal grant funds, except as authorized by the Grants Officer pursuant to approval of the 9-month expenditure plan (discussed below).

The Recipient is required to provide the following information that will enable NIST to make a preliminary determination regarding the potential impact of the proposed project on historic resources:

All information required under the Notice of Funding Opportunity Section 7. Historic Evaluation will be evaluated and revisited as needed to satisfy NEPA and NHPA.

Follow-on information may be required for NIST to determine the level of impacts of the project on historic resources. If consultation is required, grantees must provide NIST with

relevant documentation required of the consultation process. Once appropriate and applicable consultations have been completed, and historic review documentation has been completed, NIST will review all documentation to determine if the project qualifies for an approval decision.

Next steps may include, but are not limited to the submittal and completion of the following:

1. The completion of any required consultations as described above where applicable and directed by NIST, to include consultations with the SHPO and/or THPO and the appropriate federally-recognized Native American tribes (if applicable), under Section 106 of the NHPA, and/or consultations with the USFWS under Section 7 of the ESA;
2. Compliance with all other applicable federal, state, and local environmental laws and regulations.

The Recipient is required to provide any information requested by NIST in a timely and effective manner to ensure both initial and ongoing compliance with environmental and historic preservation laws, regulations, and best practices. All such information must be sent to the Federal Program Officer (FPO).

The Recipient shall notify NIST within 24 hours upon receipt of any notices of foreclosure; notices for continuing consultation received from the SHPO, THPO or other consulting party; or notices of noncompliance received from consulting authorities or regulatory agencies. These notices shall be sent to the FPO. Projects which, after consultation with appropriate agencies, are determined to be ineligible for a Finding of No Adverse Effect will require the development of a Memorandum of Agreement. The Recipient may wish to coordinate with NIST to rescope or descope the proposed project to avoid or minimize impacts to environmental and historic resources.

Any change to the approved project scope, resulting from consultations or for other reasons, that have the potential for altering the nature or extent of environmental or cultural resources impacts must immediately be brought to the attention of NIST and will be re-evaluated for compliance with applicable regulatory requirements.

For all ground disturbing activities in the vicinity of known archaeological sites or suspected or known burials, the Recipient must ensure that an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards monitors ground disturbance, and if any potential archeological resources or buried human remains are discovered, then the Recipient must immediately cease construction in that area and notify NIST and the interested SHPO, THPO, and tribes. Such construction activities may then only continue with the written approval of NIST.

9-Month Expenditure Plan

While this SAC is in effect, the Recipient shall submit, in advance of any program fund

drawdowns from ASAP.gov, a 9-month expenditure plan that presents the proposed expenditure of award funds prior to the completion of the Historic Review process, including any preliminary procurement activities. The Federal Preservation Officer may review the plan and provide recommendations to the Federal Program Officer and the Grants Officer for final approval to ensure that the proposed activities and expenditures are reasonable and necessary in the context of historical compliance. Approval of the Grants Officer is required prior to fund drawdowns of the 9-Month Expenditure Plan through ASAP.gov.

The allowable use of funds for preliminary expenditures prior to beginning project implementation includes, but is not limited to, the initiation of activities necessary to meet the project completion requirements as specified in the award including historic preservation requirements:

1. Required historic preservation consultation activities;
2. Purchase or lease of equipment, or entering into binding contracts to do so; and
3. Purchase of applicable or conditional insurance.

The allowable use of preliminary expenditure funds is limited; must not result in an irrevocable commitment of resources; and is only allowed after inclusion in and approval of a 9-month expenditure plan.

19. Executive Order 14173: Ending Illegal Discrimination and Restoring Merit-Based Opportunity:

- A. This award term implements Executive Order 14173, 90 FR 8633 (Jan. 21, 2025). By accepting this Award or Award Amendment (as the case may be) and expending federal funding thereunder, the recipient:
 1. Agrees that compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of Title 31 United States Code;
 2. Certifies to the Department that it does not operate any programs promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws; and
 3. Further certifies to the Department that it does not participate in any illegal preferences, mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, and requirements, that violate any applicable federal anti-discrimination laws.
- B. Affirmative Duty to Monitor for and to Report Potential Inconsistencies: The recipient must actively monitor its administration of this award to ensure that its activities do not violate the requirements of this award, including this SAC. At any time during the period of performance of this award, if the recipient believes that any of the activities in its approved scope of work may be inconsistent with the policies as outlined above, the recipient has an affirmative duty to immediately stop work on those potentially inconsistent activities and

immediately contact the Grants Officer named in the Notice of Award (NoA) to determine whether the potentially inconsistent activities may proceed under this award. The performance of activities that violate or are otherwise inconsistent with requirements as outlined above will result in appropriate enforcement action pursuant to 2 C.F.R. § 200.339, including the disallowance of costs and possible termination of a portion or all of this award.

20. eRA System Transition:

The Department of Commerce is implementing a new award management system called the electronic Research Administration system (eRA) for all Federal financial assistance.

Effective October 2026, eRA will serve as the official system of record for this award. All required materials, including but not limited to, prior approval requests, reports, award closeout, and related communication must be submitted through eRA.

Recipients must register in eRA Commons, the recipient interface, and ensure appropriate personnel are designated by role. NIST will provide registration information when available. Failure to obtain access may result in delayed award processing, payments, and/or administrative actions.

Additional information and resources are available at [Overview of eRA Commons](#) and [NIST eRA Implementation](#).

21. Build America, Buy America Act:

Pursuant to the Build America, Buy America (BABA) Act, Pub. L. No. 117-58, §§ 70901-52 and the implementing regulations set forth in 2 C.F.R. part 184, recipients of an award of federal financial assistance from the Department of Commerce (DOC) are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- 1) all iron and steel used in the project are produced in the United States - this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- 2) all manufactured products used in the project are produced in the United States - this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- 3) all construction materials are manufactured in the United States - this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

The Recipient must complete and submit the Build America, Buy America certification provided in **Appendix A** to the Federal Program Officer and Grants Specialist within 30 calendar days from the date of this award.

22. Overlap of Active NIST Awards - Segregation of Costs:

All costs incurred under award No. 60NANB26D275 must be charged to this award. The Recipient must not cause or permit any duplication of costs or effort to occur under any other NIST financial assistance award, which includes, but not limited to, the Congressionally Identified Construction Grant Program and the Congressionally Identified Projects Program. Failure to properly track and charge costs of activities to the correct award may result in NIST taking enforcement against the Recipient. Enforcement actions may include the disallowance of award costs, suspension or termination of the award, or any other remedies legally available to NIST at the time enforcement action becomes necessary.

End of Specific Award Conditions

NIST Financial Assistance Award Number: 60NANB26D275

Amendment: NEW

Recipient: Washington State University

Appendix A
Certification of Compliance with the
Build America, Buy America Preference Requirements
Contained in 2 C.F.R. part 184

I, _____, have reviewed the Build America,
(Name of Recipient's Authorized Representative)

Buy America (BABA) requirements set forth in 2 C.F.R. part 184 (BABA regulations) on behalf of
_____, and
(Recipient Name)

understand the obligations of and will comply with all of the requirements contained in the BABA regulations. I will communicate these requirements to contractors hired to carry out any part of the NIST project, include the standard Buy America specifications or equivalent in my bid package, and require contractors and suppliers to provide origin information for materials to NIST upon request.

I hereby certify that:

___To the best of my knowledge, this project will use only iron, steel, manufactured goods, and construction materials produced within the United States; or

___This project has submitted or will submit a request for a waiver pursuant to 2 C.F.R. 184.7 in order to use foreign iron, steel, manufactured products, or construction materials. (*See* <https://www.commerce.gov/oam/build-america-buy-america> for active Department of Commerce Buy America waivers.)

Signature of Recipient's Authorized Representative

Date